

立法會

Legislative Council

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Panel on Security

**Minutes of meeting by videoconferencing
held on Tuesday, 2 February 2021, at 2:30 pm**

**Members
present**

: Hon CHAN Hak-kan, BBS, JP (Chairman)
Hon YUNG Hoi-yan, JP (Deputy Chairman)
Hon CHAN Kin-por, GBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, GBS, JP
Hon CHAN Han-pan, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon CHUNG Kwok-pan
Hon Jimmy NG Wing-ka, BBS, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon Holden CHOW Ho-ding
Hon SHIU Ka-fai, JP
Hon CHAN Chun-ying, JP
Hon CHEUNG Kwok-kwan, JP
Dr Hon CHENG Chung-tai
Hon Tony TSE Wai-chuen, BBS, JP

Public Officers attending : Item III

Mr TANG Ping-keung, PDSM
Commissioner of Police

Mr YUEN Yuk-kin
Director of Crime and Security
Hong Kong Police Force

Ms CHAN Kam-kuk
Senior Superintendent of Police, Crime Wing Headquarters

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 1

Staff in attendance : Mr Timothy TSO
Senior Assistant Legal Adviser 1

Ms Gloria TSANG
Senior Council Secretary (2) 7

Ms Priscilla LAU
Council Secretary (2) 1

Ms Kiwi NG
Legislative Assistant (2) 1

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I. Information paper issued since the last meeting

Members noted that no information paper had been issued since the last meeting.

II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)726/20-21(01) and (02))

Regular meeting in March 2021

2. Members agreed that the following items would be discussed at the next regular meeting on 2 March 2021 at 2:30 pm:

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- (a) Implementation of the co-location arrangement at the redeveloped Huanggang Port in Shenzhen;
- (b) Proposed amendments to the Firearms and Ammunition (Declaration of Arms) Regulations; and
- (c) Key work of Customs all-front enforcement against smuggling.

III. Crime situation in 2020

(LC Paper Nos. CB(2)722/20-21(01) and CB(2)726/20-21(03))

- 3. Commissioner of Police ("CP") briefed members on the overall law and order situation of Hong Kong in 2020, as detailed in the paper provided by the Police.
- 4. Members noted an updated background brief entitled "Crime situation in Hong Kong" prepared by the Legislative Council Secretariat.

Deception

Online deception

5. With the COVID-19 outbreak in 2020 and more people opted for staying at home, Mr CHAN Chun-ying expressed concern about the rise in online deception cases and asked about the Police's measures in combating them. CP said that the rise was mainly driven by the upsurge of cases in e-shopping fraud and social media deception, including compensated dating and romance scams. As more people stayed at home and frequently stayed online, the Police would step up relevant online publicity and education initiatives. In response to Dr Junius HO's enquiry about cybercrime, CP pointed out that cybercrime mainly involved cases of online deception and online blackmail.

6. Mr YIU Si-wing sought the detection rate in respect of deception and blackmail cases in 2020. He was also concerned about the Police's capability and manpower, as well as the cross-border collaboration in handling relevant cases, in particular online deception cases. CP responded that the detection rate relating to deception slightly decreased from 13.2% in 2019 to 11.1% in 2020, while that of blackmail dropped from 18.1% in 2019 to 10.1% in 2020. He explained that the decrease

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was mainly attributable to the challenges in cybercrime investigations. That said, the Police were highly professional in combating cybercrime and kept providing comprehensive training programmes to officers concerned. In addition, the Police had maintained close cooperation with Mainland and overseas law enforcement agencies for anti-crime joint operations, which included combating online deception and romance scams. The joint operations were smoothly and successfully conducted.

7. Mr Jimmy NG commended the Police's work over the years. With rapid development in information and technology, he was concerned about the issues relating to cyber security and the increase in cybercrime cases. He noted that cybercrime cases had increased from 6 800 cases in 2015 to 8 300 cases in 2019, with corresponding monetary losses increased from \$1.8 billion to \$2.9 billion. However, according to a research report issued by the Legislative Council ("LegCo") Secretariat, there were about 1 100 employees specializing in cyber security, accounting for only 1.2% of all employees in information technology related field. In view of the shortage of cyber security professionals, he asked about the measures taken by the Police to ensure information technology security and maintain a low level of cybercrime cases.

8. CP said that the Cyber Security and Technology Crime Bureau ("CSTCB") of the Police had always been dedicating to their duties and professionally combating cases relating to cybercrime. A systematic training scheme was provided to relevant officers in which they had to undergo local and overseas training. CSTCB also set up various dedicated teams to analyze and investigate different types of online deception cases. Besides, the Police attached great importance to publicity and public education, so as to promote the awareness of fraud and cyber pitfalls. For example, the Police had launched the cyber security campaign and set up the Anti-Deception Coordination Centre ("ADCC"). Every year, ADCC managed to stop victims of hundreds of scams from sending funds to fraudsters, as well as cooperated with banks and relevant industries to intercept payments made by victims. Effort was put on multi-national and cross-border cooperation as well.

Telephone deception

9. The Deputy Chairman noted with concern about the rise in telephone deception cases, and asked about the progress and effectiveness of the "Anti-Scam Helpline". CP said that ADCC had received over

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20 000 enquiries through the "Anti-Scam Helpline", and successfully avoided the occurrence of 360 deception cases. In 2020, the Police had received 2 594 requests for interception, and over \$3 billion payments were intercepted. Besides, the Police and the Financial Crimes Unit of the International Criminal Police Organization established an International Stop-Payment Mechanism in October 2019, such that funds wired to overseas accounts might also be intercepted, and victims' losses could thus be reduced.

10. Dr Junius HO was concerned about the telephone deception cases by pretending government officials and asked whether consideration would be given to streamlining corresponding procedures in freezing of assets. CP pointed out that deception by pretending government officials had been significantly increased from 228 cases in 2019 to 683 cases in 2020. The Police had held 15 talks for 1 300 frontline staff in six local banks to enhance their capabilities in identifying suspected deception cases. In 2020, frontline banking staff had helped identify 109 deception cases which were subsequently reported to ADCC.

Investment fraud

11. Mr Christopher CHEUNG commended the Police's professionalism in taking enforcement actions, especially the stringent handling of illegal acts suspected of endangering national security upon the implementation of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region ("the National Security Law"). Mr Christopher CHEUNG and Mr CHAN Kin-por were concerned about the recent stock investment fraud via instant messaging applications. Mr CHEUNG said that such kind of deception would pose a negative impact to Hong Kong's reputation as an international financial centre. He asked whether consideration would be given to setting up a dedicated taskforce to handle such cases. Mr CHAN enquired about the manpower support in investigating relevant cases and the measures to further enhance public awareness, with a view to minimizing the occurrence of investment fraud.

12. CP pointed out that investment fraud increased from about 300 cases in 2019 to 510 cases in 2020. Depending on the case nature including the amount of monetary losses, different police units would take over the investigations, including officers in respective police districts, the Regional Crime Units, the Commercial Crime Bureau ("CCB") and the Financial Investigation Division under the Narcotics

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Bureau. CP assured members that investigation progress and efficiency would be maintained despite changes in manpower support. To further enhance the detection, prevention and disruption of serious financial crimes through effective sharing of information and intelligence, the Fraud and Money Laundering Intelligence Taskforce ("FMLIT") was set up by CCB, in collaboration with the Hong Kong Monetary Authority ("HKMA"), the Hong Kong Association of Banks and a number of banks. So far, FMLIT had held over 20 meetings and conducted 76 intelligence-led operations. A total of 299 persons were arrested, \$690 million payment was restrained, and over \$100 million payment made by victims was intercepted. The Police would continue exchanging information with the financial and banking industry, as well as launching publicity education in this aspect. CP reiterated that as more people staying at home to fight COVID-19, the Police would step up corresponding online publicity and education initiatives. Mr CHAN Kin-por hoped that the Police would continue striving their best in combating investment fraud.

13. Dr Priscilla LEUNG commended the Police for their effort in maintaining Hong Kong's safety and order. She was concerned about various issues relating to virtual currency and asked whether consideration would be given to collaborating with HKMA to regulate such product. CP said that while there was no specific legislation over virtual currency, the Police would investigate deception and robbery cases engaged with such product in accordance with existing laws and regulations. Notably, the Police had recently detected several relevant cases despite the lack of a specific piece of legislation. He further said that the Financial Services and the Treasury Bureau had launched a consultation exercise in November 2020 on legislative proposals to enhance anti-money laundering and counter-terrorist financing regulation in Hong Kong, as well as the introduction of a licensing regime for virtual asset services providers. Dr LEUNG hoped that the legislation or regulation over virtual currency would be submitted for LegCo's scrutiny as soon as possible.

Other issues

14. Mr Tony TSE considered that crime prevention was more important than a high detection rate. However, he was of the view that the Police were not proactive enough in investigating attempted deception cases without monetary loss. CP stressed that every case, including suspected and attempted deception, would be fully investigated.

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15. In the light of the implementation of a real-name registration programme for subscriber identity module ("SIM") cards, Ms Alice MAK was concerned about its effectiveness in handling cases relating to malpractices of financial intermediaries. Ms Elizabeth QUAT expressed support for the implementation of the real-name registration programme and asked whether it would facilitate the handling of doxxing cases. She further asked whether consideration would be given to seeking extra manpower resources to effectively combat various online deception cases.

16. CP said that according to previous figures, for online deception cases involving the use of local SIM cards, 80% were anonymous pre-paid SIM ("PPS") cards. In serious crimes such as robbery, burglary and wounding involving the use of local SIM cards, over 70% involved the use of anonymous PPS cards. Besides, PPS cards were used in a majority of debt collection activities. In fact, due to their anonymous nature, PPS cards had been exploited by criminals in undertaking various illegal activities. When the loophole was plugged by implementing the real-name registration programme, it would help combat crimes involving use of anonymous SIM cards, including malpractices of financial intermediaries, doxxing behaviour etc, in a positive and effective manner. CP further pointed out that the Police would spare no effort in gathering evidence related to doxxing despite a number of challenges.

17. Noting that some criminals would make use of the contact information in existing instant messaging groups to look for potential investment fraud victims, Mr Christopher CHEUNG asked whether such kind of behaviour would breach the Personal Data (Privacy) Ordinance (Cap. 486) ("PDPO"). CP advised that whether PDPO would be violated depended on specific circumstances, for instance, whether the personal data were retrieved unlawfully or without the consent of data holders. As criminals concerned would probably use anonymous PPS cards which hindered Police's investigation, CP reiterated that the implementation of a real-name registration programme for SIM cards was beneficial to combating crimes.

Youth crime

18. Mr CHAN Chun-ying expressed concern about the increase in the number of youths arrested for crime in 2020, in particular the increase of over 100% in the number of youths arrested for serious drug offences. Noting that the Education Bureau ("EDB") had been collaborating with

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the Police to organize seminars to promote law-abiding awareness among students in 2020, Mr CHAN asked whether similar activities would be held again.

19. Ms Elizabeth QUAT thanked the Police for their effort in maintaining the safety of Hong Kong and the national security, as well as their contribution in anti-epidemic work. She urged the Police to be more proactive in strengthening youth education to promote their law-abiding awareness.

20. CP said that the Police had been attaching great importance and endeavouring to strengthen law-abiding awareness among young people. Apart from EDB, the Police would also directly work with schools and some non-profit organizations, as well as other government departments to launch publicity and youth educational programmes. Notably, the Police had recently collaborated with the Correctional Services Department to conduct an activity, with a view to developing law-abiding awareness among young people and keeping them on the straight and narrow.

21. The Deputy Chairman thanked the Police and other disciplinary services for their professional work in the past year. She said that some parents were worried that the mastermind behind the "anti-extradition amendment bill" related riots would induce youngsters to take drugs and participate in illegal activities, and asked whether there was any connection between drug offences and youngsters taking part in riots as well as other illegal activities. CP said that while there was no evidence showing any connection between taking drugs and participating in riots, it was notable that the demonstration areas were very often filled with some sort of excitement, which was similar to the mental effect of taking drugs.

22. Mr MA Fung-kwok thanked the Police for their effort in the past year to maintain the law and order in Hong Kong. Noting a rise of 44.7% and 1.2 folds of the youths were respectively arrested in 2020 for wounding and serious assault, and serious drug offences, he sought the reasons behind, and asked whether there was any connection with the "anti-extradition amendment bill" incidents.

23. Mr SHIU Ka-fai commended CP for leading the Police in the past year to restore social stability and thanked the Police for their effort in maintaining the law and order in Hong Kong. While he was glad to note the drop of cases of jewellery and watch shop robbery in 2020, concern

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was raised on the respective increase of 10.7% in shop theft and 34.4% in missing motor vehicles in 2020.

24. CP pointed out that the "anti-extradition amendment bill" incidents had eroded the law-abiding awareness of the youths, which instigated more young people to take part in illegal and violent acts. In 2020, the number of young people involved in shop theft had increased significantly. They were also involved in convenience store and taxi robbery, as well as wounding and serious assault. On the other hand, the increasing number of assault and triad-related crime which often involved stolen cars as getaway vehicles in 2020 had contributed to the rise in missing motor vehicles. The Police would at root enhance the law-abiding awareness among young people, with a view to minimizing youth crime, and strengthen the intelligence gathering work and relevant operations in respect of missing motor vehicles.

Cruelty to animals

25. Mr CHAN Chun-ying was concerned about the rise of 16.7% of cases relating to cruelty to animals in 2020 compared with that in 2019. He asked whether extra manpower support would be allocated for handling animal cruelty cases and whether specific training would be provided to relevant police officers to enhance their professionalism in handling such cases. Ms Elizabeth QUAT was also concerned about the manpower support in handling cases relating to animal cruelty.

26. CP explained that the rise from 60 cases in 2019 to 70 cases in 2020 might be attributable to the increasing number of animal injured cases reporting to the Police and the growing public awareness on the prevention of cruelty to animals. With more experience accumulated by the dedicated investigation teams, corresponding detection rate had increased as well. The Police noted the public concern and assured members that they would continue working hard in this aspect.

27. The Chairman suggested renaming the dedicated investigated teams as animal police, so as to honour their professionalism and capability. He believed that many animal-lovers would be in support of it. CP undertook to review the name of the dedicated investigation teams, so as to be more clear in reflecting their duties.

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Manpower support in the Police

28. Mr YIU Si-wing commended the Police's effort for maintaining Hong Kong as a safe city over the years. He said that the Police had been satisfactorily discharging their duties despite the tremendous workload since the "anti-extradition amendment bill" incidents, and asked whether the manpower support was sufficient to carry out various duties. CP said that the current deployment situation was by and large similar to that before the "anti-extradition amendment bill" incidents, with tier-3 police officers resumed their original duties in respective police districts in last July, and other officers deployed for anti-riot tasks returned to respective police districts after 1 October 2020. CP further pointed out that frontline police resources had been enhanced due to doubling in number of auxiliary police officers reporting to duties. Special police constables were available as well. Despite a 30% drop in the number of applications in response to Police's recruitment was recorded, the Police would strive to overcome every recruitment challenge.

29. Mr Tony TSE said that the arrangement of special constables would be a flexible option in case of large-scale emergency incident, such as epidemic outbreak. As such, he asked whether the arrangement and deployment of special constables since the "anti-extradition amendment bill" incidents was smooth. CP said that the Police had been working smoothly with special constables. The special constables were under Police's establishment and required to undergo relevant training provided by the Police. They had assisted in various tasks, including anti-riot jobs, security tasks in large-scale events, inspection in respect of "no-gathering order" and subjected premises in restricted areas. CP took the opportunity to express his gratitude to other disciplinary forces.

30. The Chairman thanked the Police's effort for maintaining Hong Kong as a safe city over the years. He said that apart from their existing duties, the Police had recently been engaging with anti-epidemic work, which resulted in a heavier work pressure. He asked whether consideration would be given to improving the working environment and redeploying the duties of auxiliary police officers, so as to ease the workload of frontline police. He was also concerned about the measures taken by the Police in response to the prevailing recruitment difficulties. CP said that while a 30% drop in the number of police applications was recorded last year, the number of applicants aged over 28 increased by about 15%, and the number of applicants in response to auxiliary police had increased by almost 50%. As such, the Police would enhance

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recruitment publicity targeting applicants with several years of working experience. Besides, CP concurred with the Chairman's view that diversified duties should be assigned to auxiliary police. For instance, they were now assisting in report rooms, as well as driving, patrol and anti-epidemic tasks.

Rebuilding Police's image and combating fake information

31. Mr Tony TSE was concerned about the dissemination of fake information smearing the Police, and enquired about the strategy to rebuild Police's reputation and image. The Chairman said that according to an opinion poll conducted a month ago, about 60% of the respondents were of the view that the law and order in Hong Kong were not as good as before. He asked about the Police's measures to assure members of the public that the social order and the sense of security that used to be in Hong Kong had been restored.

32. CP stressed that the Police attached great importance to counter dissemination of fake news, and readily clarify and rebuke fake information on the social media. To boost public confidence and deal with issues of law and order situation, the Police had stepped up patrols and strengthened relevant enforcement actions. The Police had also increased transparency by taking video on site, so that the public would better understand Police's work and discern facts from fallacy. To relieve frontline pressure, the Chairman asked about the latest progress of using body-worn video cameras ("BWVCs") by the Police. CP responded that all frontline police constables and supervisors were equipped with BWVCs.

33. Dr Junius HO pointed out that the Police had received applaud from members of the public in recent publicity materials. Mr SHIU Ka-fai said that the Police should consider sharing their innovative publicity strategy in clarifying fake information and disseminating right messages with other government departments and bureaux.

34. Mr Holden CHOW thanked the Central People's Government and the Police for their promulgation and enforcement of the National Security Law to restore stability in Hong Kong. He commended the Police for their determination to handle illegal acts in the past year, particularly the follow-up actions in respect of the "primaries" for the LegCo General Election held in last July, which obviously aimed to

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endanger national security. While expressing gratitude for the Police's effort in assisting the anti-epidemic work, Mr CHOW enquired about the measures taken by the Police to combat rumours and fake news relating to setting up specified restricted areas for compulsory testing for COVID-19.

35. CP said that although there was no specific legislation combating fake information for the time being, any illegal acts would be handled in accordance with existing laws and regulations. For instance, impersonating someone and posting fake information online might have contravened the Crimes Ordinance (Cap. 200), creating rumours and panics in public places might have, depending on the circumstances, committed the offence of "disorder in public places" under the Public Order Ordinance (Cap. 245) or "sedition" under Cap. 200.

Other issues

36. Ms Alice MAK expressed concern about the regulation of online crowdfunding activities. She asked whether it would be more effective to take enforcement actions with an appropriate piece of legislation. CP said that although there was no specific legislation regulating crowdfunding activities for the time being, the Police would investigate and prosecute relevant activities involving money laundering and frauds in accordance with the existing laws and regulations. In the past six months, the Police had conducted several operations with arrests.

37. Ms Elizabeth QUAT expressed concern about the prosecution progress of cases relating to "anti-extradition amendment bill" incidents. CP said that the Police had been working closely with the Department of Justice in handling relevant cases. So far, 10 200 persons were arrested because of "anti-extradition amendment bill" incidents. Among them, some 2 400 persons had been prosecuted. While it would take time to investigate and process the cases, CP said that he did not see any undue delay in handling of the cases.

38. Dr Priscilla LEUNG asked about the progress of the legislation against insulting police officers. Besides, she expressed concern about the termination of surrender of fugitive offender ("SFO") arrangements between Hong Kong and other jurisdictions. CP responded that the policy bureau was studying the legislation against insulting public officers, and the Police were in support of such piece of legislation. As regards the termination of some SFO agreements, CP expressed regret

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over it and said that such kind of bilateral agreements sought to fight crime and if failed to operate, it would only be beneficial to criminals. While figures relating to the number of fugitives fleeing to Hong Kong could not be readily compiled, CP said that he did not see any fugitives committing crime for the time being.

39. Noting that the overall detection rate in 2020 marked a slight increase of 0.7% when compared with 2019, Mr MA Fung-kwok asked how the detection rate could be further improved. CP explained that the detection rate in respect of robbery and burglary had significantly increased in 2020. However, online deception, which posed greater investigation challenges, had dragged the overall detection rate. Hence, the overall detection rate was only slightly increased.

40. Dr CHENG Chung-tai was concerned about the Police's reportedly inappropriate use of force towards a pregnant woman at To Kwa Wan in January 2021. He asked about the investigation progress and whether there was any guideline in the treatment of those in need. CP expressed sympathy over the incident and stressed that the Police would use minimum force based on the circumstance to achieve a purpose. He further said that the Police had received a complaint on the incident and an independent witness was identified. The Police would investigate the incident in a fair and comprehensive manner.

41. In conclusion, CP highlighted the Police's four work focuses in 2021, namely (a) advancing the work on safeguarding national security; (b) focusing on fighting crime and preventing crime by intelligence-led operations and patrols; (c) enhancing community engagement by a proactive and extensive public relations strategy; and (d) assisting government's anti-epidemic work. The Police would continue enhancing the law-abiding awareness among young people, as well as exert all efforts to secure national security and safeguard Hong Kong.

42. There being no other business, the meeting ended at 4:09 pm.